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APPENDIX

FILED
MAY 6 1971
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In the Supreme Court of the United States

OCTOBER TERM, 1970

No. ~~869~~

70-28

UNITED STATES OF AMERICA, PETITIONER

v.

EDNA GENERES, WIFE OF, AND ALLEN H. GENERES

ON WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE FIFTH CIRCUIT

PETITION FOR A WRIT OF CERTIORARI FILED
OCTOBER 21, 1970
CERTIORARI GRANTED MARCH 22, 1971



In the Supreme Court of the United States

OCTOBER TERM, 1970

No. 883

UNITED STATES OF AMERICA, PETITIONER

v.

EDNA GENERES, WIFE OF, AND ALLEN H. GENERES

ON WRIT OF CERTIORARI TO THE UNITED STATES
COURT OF APPEALS FOR THE FIFTH CIRCUIT

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UNITED STATES TAX COURT

Docket No. 16156

[Caption Omitted]

RELEVANT DOCKET ENTRIES

Date	Proceeding
2/8/65	Flg. complaint. Issg. 4 summons.
1/3/66	Flg. M.R. on summons. (serv. U.S. of America thru District Director of Internal Revenue on 12/20/65, 1 copy thru U.S. of Atty. via J. Jara on 12/20/65).
2/18/66	ANSWER by Deft.
9/24/67	Flg. motion of Pltfs. for directed verdict at the close of all evidence.
8/24/67	Case called; Jury sworn; Interrog. Verdict. Ent. 9/13/67.
9/15/67	Flg. JUDGMENT AND ORDERED by the Court that the Plaintiffs recover from the Defendant the sum of \$50,134.49, etc., (ABR 9/18/67) Ent. 9/27/67. Issg. notices.
10/6/67	Flg. Motion for a new trial by the Defendant. Notice of Hearing on 10/18/67.
10/18/67	Hearing and ORDER that motion of Deft. for judgment notwithstanding the verdict, and alternatively for a new trial be, DENIED. Ent. 10/23/67. Issg. notice.

UNITED STATES COURT OF APPEALS

FOR THE FIFTH CIRCUIT

Docket No. 25,713

[Caption Omitted]

RELEVANT DOCKET ENTRIES *

Date	Filings and Proceedings
1968	
January 25	Docket Cause Etc.
April 16	Original Brief on Behalf of Defendant-Appellant, United States of America
May 7	Brief for the Appellee
May 24	Reply Brief for the Appellant
May 29	Argued & Submitted Before Hons. Ainsworth and Simpson, C.J.s. & Singleton, D.J.
1970	
May 25	Affirmed, "Per Ainsworth, C.J." Judge Simpson Dissenting
June 16	Judgment Entered & issued as mandate

* These Docket Entries have been reconstructed from the petitioner's files. The original Docket Entry list was destroyed by fire at the offices of the Court of Appeals in New Orleans.

PETITION FOR REFUND

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
NEW ORLEANS DIVISION**

Filed: Dec. 8, 1965

**EDNA GENERES, WIFE OF AND
ALLEN H. GENERES**

**Versus CIVIL ACTION NO. 16156
DIVISION A**

UNITED STATES OF AMERICA

Filed _____ 1965

Clerk

The petition of Edna Generes, wife of and Allen H. Generes, respectfully shows:

I

Petitioners are citizens and residents of the State of Louisiana and reside in the City of New Orleans, Parish of Orleans, and within the jurisdiction of this Court. The United States of America is a sovereign, which, under 28 USCA § 1346, has consented to be sued in respect to the cause of action hereinafter described and under the provisions of said Act, a suit may be brought in the district of petitioners' residence.

II

On May 20, 1965, four assessments in the aggregate amount of \$43,851.46, plus statutory interest, were made against the taxpayers by the District Director, Internal Revenue Service, New Orleans, Louisiana. On June 1, 1965, taxpayers paid to the District Director, Internal Revenue Service, New Orleans, Louisiana, the full assessment, including statutory interest. On June 7, 1965, petitioners filed a claim for refund for the moneys paid in accordance with the above stated assessment.